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F#2004V02128
finalorderforfeiture.wpd

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

-against-

MARIO GARAFOLA,
also know as "Buddy"
and "Bud"

Defendant.

- - - - -X

WHEREAS, on November 24, 2004, defendant MARIO GARAFOLA pleaded guilty to Count One of the above captioned Superseding Information, charging him with conspiracy to commit mail fraud, pay money from an employer to a representative of employees, money laundering, obstruction of justice by tampering with a witness, obstruction of justice by withholding documents from a grand jury, and embezzling monies of employee benefit plans in violation of 18 U.S.C. § 371, for which the Government sought forfeiture of Thirty Thousand Dollars (\$30,000.00); and

WHEREAS, on January 13, 2005, this Court so ordered a Preliminary Order of Forfeiture, which was docketed with the Clerk of Court for the Eastern District of New York; and

WHEREAS, in accordance with Fed. R. Crim. P. 32.2(b)(3), legal notice of publication of the Preliminary Order of Forfeiture was made in the *New York Post*, a daily newspaper of

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general circulation in the Eastern District of New York, March 26, 2005, March 28, 2005 and April 4, 2005; no third party has filed with the Court any petition in connection with this matter and the time to do so under 21 U.S.C. § 853(n)(2) has long expired.

IT IS HEREBY ORDERED AND ADJUDGED that:

1. Pursuant to Fed. R. Crim. P. 32.2(c)(2), the Preliminary Order of Forfeiture previously entered by this Court is hereby made a Final Order of Forfeiture.
2. The sum of \$ 30,000.00 is hereby forfeited to the United States pursuant to 18 U.S.C. § 982 and 21 U.S.C. § 853.
3. The United States Marshals Service, Eastern District of New York, is hereby directed to dispose of the forfeited funds in accordance with all applicable laws and rules.
4. The Clerk of Court shall forward three certified copies of this order to Assistant United States Attorney Claire S. Kedeshian, U.S. Attorney's Office, One Pierrepont Plaza, 16th Floor, Brooklyn, New York 11201.

Brooklyn, New York
Dated: August 2, 2005

SO ORDERED:

s/David G. Trager
HONORABLE DAVID G. TRAGER
UNITED STATES DISTRICT JUDGE